

### **REMARKS**

The enclosed is responsive to the Examiner's Final Office Action mailed on September 15, 2005 and is being filed pursuant to a Request for Continued Examination (RCE) as provided under 37 CFR 1.114. At the time the Examiner mailed the Final Office Action claims 1-10 and 23-40 were pending. By way of the present response the Applicants have: 1) amended claims 1, 4, 6, 23-24, 29, and 30; 2) added no new claims; and 3) canceled claims 3 and 31-40. As such, claims 1-2, 4-10, and 23-30 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

### **35 USC §102 Rejections**

Claims 1, 9, 10, 23, and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Sutton, et al, U.S. Publication 2004/0185922 (hereinafter "Sutton").

Applicants respectfully submit that Sutton fails to disclose or suggest features recited in claim 1. More specifically, Sutton fails to disclose or suggest a data processing device which automatically highlights a first glyph when in a first operational mode and automatically highlights a second glyph when in a second operational mode.

Okawa, U.S. Publication 2004/0259599 (hereinafter "Okawa") (cited by Examiner in rejection of claims 4-8 and 25-28) also fails to disclose or suggest the device automatically highlighting the first glyph when in the first operational mode and automatically highlighting the second glyph when in the second operational mode. In fact, Okawa teaches away from a device automatically highlighting a glyph. In paragraphs 0069 and 0073, Okawa describes highlighting symbols in response to a user pressing a key. All embodiments described by Okawa require user interaction for highlighting different symbols. Since Sutton and Okawa do not disclose or suggest all of the elements of claim 1, Applicants respectfully submit that claim 1 is in condition for allowance.

The above discussed language added to claim 1 is fully supported in the specification on pages 13-14, paragraph 0038. "In one embodiment, the functions associated with the various control elements are **automatically** modified when the data processing device 200 is switched between the first and second operational modes....[T]he glyphs on the face of each of the keys of the keypad change, both in content and in orientation, to reflect the associated change in functions and orientation of the data processing device 200."

Regarding independent claim 23, Applicants respectfully submit that Sutton does not disclose or suggest all of the elements of claim 23. More specifically, Sutton does not disclose or suggest a **motion** sensor to detect the

orientation of the data processing device. Examiner cites page 2, paragraphs 0012 and 0020; page 3, paragraphs 0023 and 0028; and page 4, paragraph 0029 of Sutton as describing a motion sensor. Applicants respectfully submit that the above paragraphs do not describe a motion sensor. The above paragraphs discuss the orientation of the two panels of the device in relation to each other in determining the mode of the device. That is, the changing of modes occurs with the changing of the orientation of the first panel in relation to the orientation of the second panel, not through a motion sensor detecting motion of the device. Since Sutton does not disclose all of the elements of claim 23, Applicants respectfully submit claim 23 is in condition for allowance.

The above discussed language added to claim 23 is fully supported in the original specification on page 16, paragraph 0043. "In one embodiment, motion sensors (not shown) are configured within the data processing device 200 to detect the orientation, and responsively generate control signals identifying its orientation. In response to the control signals, the data processing device 200 then switches between the first and second modes of operation."

Regarding independent claim 29, Applicants respectfully submit that Sutton does not disclose or suggest all of the elements of claim 29. More specifically, Sutton does not disclose or suggest three pluralities of control elements where the second plurality of control elements **is hidden** from the user when in the first and third operational mode and the third plurality of

control elements **is hidden** from the user when in the first and second operational mode.

The language added to claim 29 is fully supported in Figures 18A-20 and in the original specification from page 36, paragraph 0082 to page 41, paragraph 0092.

Since claims 9, 10, and 30 depend from independent claims 1 or 29 and describes additional features, Applicants respectfully submit claims 9, 10, and 30 are in condition for allowance.

#### *35 USC §103 Rejections*

Claims 2 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutton et al in view of England, US Patent No. 6,483,445, (hereinafter "England").

Since claims 2 and 24 depend from independent claims 1 or 23 and describe additional features, Applicants respectfully submit claims 2 and 24 are in condition for allowance.

Claims 4-8 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutton et al in view of Okawa.

Since claims 4-8 and 25-28 depend from independent claims 1 or 23 and describe additional features, Applicants respectfully submit claims 4-8 and 25-28 are in condition for allowance.


Therefore, Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

## CONCLUSION

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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